

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

April 2022 Grand Jury

UNITED STATES OF AMERICA,

Plaintiff,

v.

FELIX FRANCISCO GOMEZ,

Defendant.

ED CR No. **5:22-cr-00236-JGB**

I N D I C T M E N T

[21 U.S.C. §§ 841(a)(1),
(b)(1)(A)(viii), (b)(1)(B)(viii):
Distribution of, and Possession
with Intent to Distribute,
Methamphetamine; 18 U.S.C.
§ 924(c)(1)(A)(i): Possession of a
Firearm in Furtherance of a Drug
Trafficking Crime; 18 U.S.C.
§ 922(g)(1): Felon in Possession
of a Firearm and Ammunition;
21 U.S.C. § 853, 18 U.S.C. § 924,
28 U.S.C. § 2461(c): Criminal
Forfeiture]

The Grand Jury charges:

COUNT ONE

[21 U.S.C. §§ 841(a)(1), (b)(1)(B)(viii)]

On or about May 19, 2021, in Riverside County, within the
Central District of California, defendant FELIX FRANCISCO GOMEZ
knowingly and intentionally distributed at least five grams, that is,
approximately 46.4 grams, of methamphetamine, a Schedule II
controlled substance.

COUNT TWO

[21 U.S.C. §§ 841(a)(1), (b)(1)(A)(viii)]

On or about July 7, 2021, in Riverside County, within the Central District of California, defendant FELIX FRANCISCO GOMEZ knowingly and intentionally distributed at least fifty grams, that is, approximately 92.3 grams, of methamphetamine, a Schedule II controlled substance.

COUNT THREE

[21 U.S.C. §§ 841(a)(1), (b)(1)(B)(viii)]

On or about July 13, 2021, in Riverside County, within the Central District of California, defendant FELIX FRANCISCO GOMEZ knowingly and intentionally possessed with intent to distribute at least five grams, that is, approximately 27.66 grams, of methamphetamine, a Schedule II controlled substance.

COUNT FOUR

[18 U.S.C. § 924(c) (1) (A) (i)]

On or about July 13, 2021, in Riverside County, within the Central District of California, defendant FELIX FRANCISCO GOMEZ knowingly possessed a firearm, namely, a SCCY Industries, model CPX-2, 9mm pistol, bearing serial number 544031, in furtherance of a drug trafficking crime, namely, Possession with Intent to Distribute Methamphetamine, in violation of Title 21, United States Code, Sections 841(a) (1), (b) (1) (B) (viii), as charged in Count Three of this Indictment.

COUNT FIVE

[18 U.S.C. § 922(g)(1)]

On or about July 13, 2021, in Riverside County, within the Central District of California, defendant FELIX FRANCISCO GOMEZ knowingly possessed the following firearm and ammunition, in and affecting interstate and foreign commerce:

1. A SCCY Industries, model CPX-2, 9mm pistol, bearing serial number 544031;
2. Approximately 50 rounds of Sarsilmaz Silah Sanayi 9mm Luger ammunition;
3. Approximately 12 rounds of Blazer 9mm Luger ammunition;
4. Three rounds of Tula Cartridge Works 9mm Luger ammunition;
5. Approximately 45 rounds of Giulio Fiocchi Lecco .45 ACP ammunition; and
6. Approximately 15 rounds of Federal Ammunition .45 AUTO ammunition.

Defendant GOMEZ possessed such firearm and ammunition knowing that he had previously been convicted of at least one of the following felony crimes, each punishable by a term of imprisonment exceeding one year:

1. Addict in Possession of a Firearm, in violation of California Penal Code Section 29800(a)(1), in the Superior Court of the State of California, County of Riverside, case number INF1701121, on or about July 26, 2017;
2. Inflict Corporal Injury Upon a Spouse with a Prior, in violation of California Penal Code Section 273.5(f)(2), in the Superior Court of the State of California, County of Riverside, case number INF1801588, on or about December 3, 2018; and

1 3. Felon in Possession of a Firearm, in violation of
2 California Penal Code Section 29800(a)(1), in the Superior Court of
3 the State of California, County of Riverside, case number INF1801588,
4 on or about December 3, 2018.

FORFEITURE ALLEGATION ONE

[21 U.S.C. § 853; 18 U.S.C. § 924; 28 U.S.C. § 2461(c)]

1. Pursuant to Rule 32.2(a) of the Federal Rules of Criminal Procedure, notice is hereby given that the United States of America will seek forfeiture as part of any sentence, pursuant to Title 21, United States Code, Section 853, Title 18, United States Code, Section 924, and Title 28, United States Code, Section 2461(c), in the event of the defendant's conviction of the offenses set forth in any of Counts One through Three of this Indictment.

2. The defendant, if so convicted, shall forfeit to the United States of America the following:

(a) All right, title and interest in any and all property, real or personal, constituting or derived from, any proceeds which the defendant obtained, directly or indirectly, from any such offense;

(b) All right, title and interest in any and all property, real or personal, used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of any such offense;

(c) All right, title, and interest in any firearm or ammunition involved in or used in any such offense; and

(d) To the extent such property is not available for forfeiture, a sum of money equal to the total value of the property described in subparagraphs (a), (b), or (c).

3. Pursuant to Title 21, United States Code, Section 853(p), and as incorporated by Title 28, United States Code, Section 2461(c), the defendant, if so convicted, shall forfeit substitute property if, by any act or omission of the defendant, the property described in the preceding paragraph, or any portion thereof: (a) cannot be

1 located upon the exercise of due diligence; (b) has been transferred,
2 sold to, or deposited with a third party; (c) has been placed beyond
3 the jurisdiction of the court; (d) has been substantially diminished
4 in value; or (e) has been commingled with other property that cannot
5 be divided without difficulty.

FORFEITURE ALLEGATION TWO

[18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c)]

1. Pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure, notice is hereby given that the United States of America will seek forfeiture as part of any sentence, pursuant to Title 18, United States Code, Section 924(d)(1), and Title 28, United States Code, Section 2461(c), in the event of the defendant's conviction of the offenses set forth in any of Counts Four or Five of this Indictment.

2. The defendant, if so convicted, shall forfeit to the United States of America the following:

(a) All right, title, and interest in any firearm or ammunition involved in or used in any such offense; and

(b) To the extent such property is not available for forfeiture, a sum of money equal to the total value of the property described in subparagraph (a).


3. Pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c), the convicted defendant shall forfeit substitute property, up to the value of the property described in the preceding paragraph if, as the result of any act or omission of said defendant, the property described in the preceding paragraph or any portion thereof (a) cannot be located upon the exercise of due diligence; (b) has been transferred, sold to, or deposited with a third party; (c) has been placed beyond the jurisdiction of the court; (d) has been

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1 substantially diminished in value; or (e) has been commingled with
2 other property that cannot be divided without difficulty.

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4 A TRUE BILL

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7 _____
Foreperson

8 E. MARTIN ESTRADA
9 United States Attorney

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11 SCOTT M. GARRINGER
12 Assistant United States Attorney
Chief, Criminal Division

13 SEAN D. PETERSON
14 Assistant United States Attorney
Chief, Riverside Branch Office

15 STEPHEN T. MERRILL
16 Special Assistant U.S. Attorney
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